

United States Patent and Trademark Office



UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

DATE MAILED: 11/17/2006

APPLICATION NO.	FILING DATE	G DATE FIRST NAMED INVENTOR		CONFIRMATION NO.	
09/944,122 09/04/2001		Hung-Liang Chiu	2769-108	1760	
6449 75	590 11/17/2006	EXAMINER			
ROTHWELL, 1425 K STREE	, FIGG, ERNST & MAN	FISCHETTI,	FISCHETTI, JOSEPH A		
SUITE 800	11, 14. 44.		ART UNIT	PAPER NUMBER	
WASHINGTON, DC 20005			3627		

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Og/944,122			Applicati	on No.	Applicant(s)				
Joseph A. Fischetti Joseph A. SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (8) MONTHS from the mailing date of this communication. Fallin to reply within the set or considered period for rigid, with the mailing date of this communication. Fallin to reply within the set or considered period for rigid, with the mailing date of this communication. Fallin to reply within the set or considered period for rigid. Which the mailing date of this communication. Fallin to reply within the set or considered period for rigid. By the maximum statutory period. Status 1)	Office Action Summary		09/944,1	22	CHIU ET AL.				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions from maybe available under the provides of 37 CFR 1.18(b), in no event, however, may a reply be streey filled after 50 k (b) MONTHS from the mailing date of this communication. Fallus to reply which the set or excented pariod for mayby and will expire 30 k (b) MONTHS from the mailing date of this communication. Fallus to reply which the set or calended pariod for mayby likely bataked, some the application become ABANDONED 30 U.S.C, § 133). Any reply received by the Office left than three months after the mailing date of this communication, even if timely filed, may reduce any seamed plantine malejustment. See 37 CFR 1.76(b). Status 1) □ Responsive to communication(s) filed on 21 August 2006. 2a) □ This action is FINAL. 2b) □ This action is final. 2b) □ This action is final. 2b) □ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) □ Claim(s)			Examine	,	Art Unit				
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. - Extractions of time may be available under the provisions of 37 CFR 1.33(a). In or event, however, may a reply be timely filled. - If No provide for reply is specified above, the maintain statutory period will apply and will expire 500 (b) MONTHS from the mailing date of this communication or reply to specified above, the maintain statutory period will apply and will expire 500 (b) MONTHS from the mailing date of this communication. - Fallure to reply within the set or estended period for reply will, by shallow, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office for the bab three mailing date of this communication, even if timely filled, may reduce any search planet term adjustment. See 37 CFR 1.704(b). - Status 1) Responsive to communication(s) filled on 21 August 2006. 2a) This action is FINAL. 2b) This action is FINAL. 2b) This action is non-final. 3) Is since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 8 and 7 Is/are pending in the application. 4a) Of the above claim(s) 6 is/are withdrawn from consideration. 5) Claim(s) is/are rejected. 7) Claim(s) is/are rejected. 7) Claim(s) is/are rejected to by the Examiner. Application Papers 9) The specification is objected to by the Examiner. Application Papers 9) The specification is objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The coath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. §			Joseph A	Fischetti	3627				
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of lime may be available under the provision of 37 CPR 1.134(s). In a event, however, may a reply be time yit led other SIX (8) MONTHS from the mailing date of this communication. If NO period for reply is specified down, the maximus naturaby period will poply and will provide SIX (8) MONTHS from the mailing date of this communication. Any reply received by the Office later than three months after the mailing date of this communication, even if timely filled, may reduce any seared patients and search and the search of patients. Status 1) □ Responsive to communication(s) filled on 21 August 2006. 2a) □ This action is FINAL. 2b) □ This action is FINAL. 2b) □ This action is FINAL. 2b) □ This action is FINAL. 2c) □ This action is FINAL. 2d) □ This action is FINAL. 2d) □ This action is FINAL. 2d) □ This action is FINAL. 2c) □ This action is FINAL. 2c) □ This action is FINAL. 2c) □ This action is FINAL. 2d) □ This action is action is action to replication. 4a) □ This action is action is action to replication. 4a) □ This action is action is action to replication. 4b) □ Claim(s) □ is/are allowed. 5c) □ Claim(s) □ is/are allowed. 6c) □ Claim(s) □ is/are rejected. 7c) □ Claim(s) □ is/are rejected. 7d) □ Claim(s) □ is/are rejected. 7d) □ Claim(s) □ is/are rejected to restriction and/or election requirement. 2d) □ The specification is objected to by the Examiner. Application Papers 9c) □ The specification is objected to restriction is required if the drawing(s) is objected to. See 37 CPR 1.12			on appears on th	e cover sheet with the	correspondence ac	idress			
1) ⊠ Responsive to communication(s) filed on 21 August 2006. 2a) ☐ This action is FINAL. 2b) ⊠ This action is non-final. 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) ☑ Claim(s) 6 and 7 is/are pending in the application. 4a) Of the above claim(s) 6 is/are withdrawn from consideration. 5) ☐ Claim(s)	WHIC - Exten after: - If NO - Failui Any n	CHEVER IS LONGER, FROM THE MAILII sions of time may be available under the provisions of 37 C SIX (6) MONTHS from the mailing date of this communicate period for reply is specified above, the maximum statutory re to reply within the set or extended period for reply will, by eply received by the Office later than three months after the	NG DATE OF TH CFR 1.136(a). In no evi ion. period will apply and w y statute, cause the app	HIS COMMUNICATIO ent, however, may a reply be ti ill expire SIX (6) MONTHS fron lication to become ABANDONI	N. mely filed n the mailing date of this o ED (35 U.S.C. § 133).	•			
2a) This action is FINAL. 2b) This action is non-final. 3 Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 6 and 7 is/are pending in the application. 4a) Of the above claim(s) 6 is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10 The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.	Status		•						
2a) This action is FINAL. 2b) This action is non-final. 3 Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 6 and 7 is/are pending in the application. 4a) Of the above claim(s) 6 is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10 The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.	1)[\inf	Responsive to communication(s) filed on	21 August 2006	.					
3 □ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4 □ Claim(s) 6 and 7 is/are pending in the application. 4a) Of the above claim(s) 6 is/are withdrawn from consideration. 5 □ Claim(s) is/are allowed. 6 □ Claim(s) is/are allowed. 7 □ Claim(s) is/are objected to. 8 □ Claim(s) are subject to restriction and/or election requirement. Application Papers 9 □ The specification is objected to by the Examiner. 10 □ The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11 □ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12 □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) □ All b) □ Some * c) □ None of: 1 □ Certified copies of the priority documents have been received. 2 □ Certified copies of the priority documents have been received in Application No. 3 □ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(e) 1 □ Notice of References Cited (PTO-892) 2 □ Notice of Draftsperson's Patent Drawing Review (PTO-948) 3 □ Information Disclosuer Statement(s) (PTO-1449 or PTO/SB/08) 5 □ Notice of Informal Patent Application (PTO-152)									
closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4)		·—							
4)	,		-	• •					
4a) Of the above claim(s) £ is/are withdrawn from consideration. 5) □ Claim(s) is/are allowed. 6) □ Claim(s) Ţ is/are rejected. 7) □ Claim(s) is/are objected to. 8) □ Claim(s) are subject to restriction and/or election requirement. Application Papers 9) □ The specification is objected to by the Examiner. 10) □ The drawing(s) filed on is/are: a) □ accepted or b) □ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in aboyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) □ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) □ All b) □ Some * c) □ None of: 1. □ Certified copies of the priority documents have been received. 2. □ Certified copies of the priority documents have been received in Application No 3. □ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(a) 1) □ Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) □ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 5) □ Notice of Informal Patent Application (PTO-152)	Dispositi	on of Claims	·						
4a) Of the above claim(s) £ is/are withdrawn from consideration. 5) □ Claim(s) is/are allowed. 6) □ Claim(s) Ţ is/are rejected. 7) □ Claim(s) is/are objected to. 8) □ Claim(s) are subject to restriction and/or election requirement. Application Papers 9) □ The specification is objected to by the Examiner. 10) □ The drawing(s) filed on is/are: a) □ accepted or b) □ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in aboyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) □ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) □ All b) □ Some * c) □ None of: 1. □ Certified copies of the priority documents have been received. 2. □ Certified copies of the priority documents have been received in Application No 3. □ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(a) 1) □ Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) □ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 5) □ Notice of Informal Patent Application (PTO-152)	4)🖂	Claim(s) 6 and 7 is/are pending in the ap	plication.						
5) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) is/are rejected. 7) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) are subject to restriction and/or election requirement. Application Papers 9) ☐ The specification is objected to by the Examiner. 10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some * c) ☐ None of: 1. ☐ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) ☐ Notice of References Cited (PTO-892) 2 ☐ Notice of References Cited (PTO-892) 3 ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 5) ☐ Notice of Informal Patent Application (PTO-152)									
7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) 20 Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 5) Notice of Informal Patent Application (PTO-152)	5)□								
Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) Notice of References Cited (PTO-892)	6)⊠	· <u> </u>							
Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	7)	·							
9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Interview Summary (PTO-413) Paper No(s)/Mail Date Paper No(s)/Mail Date 5) Notice of Informal Patent Application (PTO-152)	8)□	Claim(s) are subject to restriction	and/or election r	equirement.					
10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 10 Notice of References Cited (PTO-892) 21 Notice of Draftsperson's Patent Drawing Review (PTO-948) 33 Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 50 Notice of Informal Patent Application (PTO-152)	Applicati	on Papers							
10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 10 Notice of References Cited (PTO-892) 21 Notice of Draftsperson's Patent Drawing Review (PTO-948) 33 Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 50 Notice of Informal Patent Application (PTO-152)	9)[] :	The specification is objected to by the Exa	aminer.						
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 5) Notice of Informal Patent Application (PTO-152)				objected to by the	Examiner.				
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some column None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 5) Notice of Informal Patent Application (PTO-152)									
Priority under 35 U.S.C. § 119 12)		Replacement drawing sheet(s) including the o	correction is requir	ed if the drawing(s) is of	ojected to. See 37 C	FR 1.121(d).			
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 1 Notice of Informal Patent Application (PTO-152)	11) 🔲 -	The oath or declaration is objected to by t	the Examiner. N	ote the attached Office	e Action or form P	TO-152.			
a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 1. Notice of Informal Patent Application (PTO-152)	Priority u	nder 35 U.S.C. § 119							
a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 1. Notice of Informal Patent Application (PTO-152)	12)[]	Acknowledgment is made of a claim for fo	oreign priority un	der 35 U.S.C. § 119(a	n)-(d) or (f).				
2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 5) Notice of Informal Patent Application (PTO-152)	_	_			, , , , ,				
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 5) Notice of Informal Patent Application (PTO-152)		1. Certified copies of the priority docu	ıments have bee	n received.					
application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) * See the attached detailed Office action for a list of the certified copies not received. 4) Interview Summary (PTO-413) Paper No(s)/Mail Date. 5) Notice of Informal Patent Application (PTO-152)									
* See the attached detailed Office action for a list of the certified copies not received. *Attachment(s) Attachment(s)		3. Copies of the certified copies of the	e priority docum	ents have been receiv	ed in this National	Stage			
Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 4) Interview Summary (PTO-413) Paper No(s)/Mail Date. 5) Notice of Informal Patent Application (PTO-152)		application from the International E	Bureau (PCT Rui	e 17.2(a)).	•				
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 4) Interview Summary (PTO-413) Paper No(s)/Mail Date. 5) Notice of Informal Patent Application (PTO-152)	* S	ee the attached detailed Office action for	a list of the cert	fied copies not receiv	ed.				
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 4) Interview Summary (PTO-413) Paper No(s)/Mail Date. 5) Notice of Informal Patent Application (PTO-152)									
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 4) Interview Summary (PTO-413) Paper No(s)/Mail Date. 5) Notice of Informal Patent Application (PTO-152)	Attachment	(s)							
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 5) Notice of Informal Patent Application (PTO-152)	1) D Notice	e of References Cited (PTO-892)							
·/ = ··································		· · · · · · · · · · · · · · · · · · ·	•			O_152)			
raper No(s)/Mail Date		nation Disclosure Statement(s) (PTO-1449 or PTO/S No(s)/Mail Date	2B/08)	6) Other:	atent Application (CT)	∪-1 02j			

Election/Restrictions

Claim 6 is withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made without traverse in the reply filed on 8/21/06 because no arguments were advanced.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted Prior Art in view of Smith. The language following the "for" in each of the sections a-d is deemed functional and is deemed answered at a minimum by the combination's capability/ability to perform the same function.

Applicant's admitted prior art discloses: a. an EDI (Electronic Data Interchange) platform for receiving the electronic purchase order (AAPA page 2, line 16); (b) an SAP (Service Advertising Protocol) platform connected to the EDI platform (Sap platform 120 is linked to the EDI pager 3, line 1), for performing a predefined FCT (Factory Cycle Time) computation procedure to compute for a set of FCT data based on the received electronic purchase order (see page 3 lines 1-3). AAPA disclose (d) a WWW (World Wide Web) server, page 2 line 20, connected to the Internet (inherent

to the web) and to the SAP platform (the EDI platform is disclosed by AAPA as linked to the SAP p.3 line 1 and the EDI is disclosed as linked to the internet, so the SAP is connected to the internet via its connection with the EDI) and the SQL server. Since the language following the "for" of section (d) fails to incorporate any structural limitations, the recitation of "for serving the FCT/STFC data including the FCT data obtained by the SAP platform and the STFC data obtained by the SQL server through the Internet to the customer" is read as function which is capable of being accomplished by web server as described in AAPA.

AAPA fails to disclose (c) an SQL (Structured Query Language) server connected to the EDI platform. The function of for performing a predefined STFC (Ship to First Commitment) computation procedure to compute for a set of STFC data based on the received electronic purchase order is read as functional limitation which can be met by the any SQL server programmed to interact with an EDI platform. However, Smith does disclose such a feature wherein data on a dedicated server is converted to SQL and then uses the converted data to perform a needs based calculation. See col. 15 lines 23-37. It would be obvious to modify the AAPA combination to include the SQL server of Smith with the www server and EDI server to connected the data exchange between the various component parts the motivation is that SQL language is the de facto standard for relational databases, which is the environment of the combination at hand.

Application/Control Number: 09/944,122

Art Unit: 3627

Any inquiry concerning this communication should be directed to seph A.

Fischetti at telephone number (703) 305-0731.

Joseph A. Fischetti Primary Examiner Art Unit 3627 Page 4